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June 17, 2013

VIA E-MAIL AND FACSIMILE

Leticia Lane, FOIA Officer
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
Fax 214-665-2146
lane.leticia@epa.gov

Dear Ms. Lane:

We represent Taylor Energy Company LLC (Taylor). It has recently come to our attention that the Environmental Protection Agency (EPA) released numerous documents concerning Taylor's destroyed platform in the Gulf of Mexico to Tulane's Environmental Law Clinic in response to a Freedom of Information Act (FOIA) request. Taylor was never notified of the pending release of any of the documents, and it appears that personal information included in at least some of the documents was not redacted as required under FOIA Exemption 6. As a result, we have multiple requests related to these documents.

These requests for information are filed pursuant to the FOIA, 5 U.S.C. § 552, and the EPA's implementing regulations under FOIA, 40 C.F.R. § 2.

Please produce and deliver:

1. A copy of any and all FOIA requests submitted by the Tulane Environmental Law Clinic to the EPA regarding or related to Taylor within the last four years.
2. A copy of any FOIA requests related to Taylor submitted within the last four years by or on behalf of any of the following organizations: Apalachicola Riverkeeper, Atchafalaya Basinkeeper, Emerald Coastkeeper, Galveston Baykeeper, Louisiana Bayoukeeper, Louisiana Environmental Action Network, Paul Orr (in his capacity as the Lower Mississippi Riverkeeper), and/or Waterkeeper Alliance.

3. All documents produced in response to the FOIA requests referenced under #1 or #2, above.

4. All correspondence, including emails, related to any of the above-referenced FOIA requests, including emails from the requesting parties, emails from EPA to the requesting parties, and any internal agency emails.
5. All communication with other federal agencies, including but not limited to the U.S. Coast Guard (Coast Guard) and the Bureau of Safety and Environmental Enforcement (BSEE), concerning or related to the above requests or related to Taylor's activities in the Gulf of Mexico.
6. All communications with, including any legal determinations made by, EPA's legal office relating to the documents released in response to the requests referenced above and/or any documents withheld from response to the requests.

The basis for this request is the attached letter from you to the Tulane Environmental Law Clinic dated April 10, 2012. Attached to the cover letter was certain NPDES reporting data related to Taylor operations in the Gulf of Mexico.

In addition to the information requested above, Taylor requests EPA's explanation clarifying why NPDES permit information was deemed responsive to a request for information related to Taylor's "Decommissioning Work" at the MC 20 platform. NPDES permit reporting has absolutely no relevance to decommissioning requirements established under 30 C.F.R. Subpart Q.

Further, Taylor requests an explanation for why personal information included in the portion of the response we have reviewed was not redacted as required under FOIA Exemption 6.

Finally, we are very concerned that EPA may have revealed commercial and/or financial information regarding Taylor and its operations at the MC 20 Platform in the Gulf of Mexico which should have been protected by FOIA Exemption 4. In fact, in responding to nearly-identical FOIA requests filed by the Tulane Environmental Law Clinic and Waterkeeper organizations, the Coast Guard, BSEE and the Bureau of Ocean Energy Management (BOEM) have all requested Taylor's review of documents prior to document release to ensure no protected commercial and/or financial information is released in violation of FOIA. If there is an explanation for why this precaution was not taken by EPA, we would appreciate you providing it.

Pursuant to 40 C.F.R. § 2.104(a), EPA has 20 work days from the date of receipt of this letter to provide its response. This request is made by the undersigned as an attorney for Taylor and is a commercial use request. 40 C.F.R. § 2.107(b)(1). This letter further serves as Taylor's agreement to pay any lawful and reasonable costs incurred in responding to this request up to a maximum of \$500.00. Please contact the undersigned via telephone before incurring costs in excess of this amount.

We look forward to your detailed response to these inquiries and please do not hesitate to contact me for clarification of this request.

Yours very truly,



Bret A. Sumner
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Attachment

cc: Michael Beatty, Beatty & Wozniak, P.C.
Will Pecue, President, Taylor Energy Company LLC
Lt. Damian Yemma, U.S. Coast Guard
Karen Miller, FOIA Officer, Bureau of Safety and Environmental Enforcement (BSEE)
Jeremy B. Williams, FOIA Officer, Bureau of Ocean Energy Management (BOEM)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

SENT BY CERTIFIED U.S. Mail – Return Receipt Requested : 7010 2780 0002 4357 2486

April 10, 2012

Ms. Machel Lee Hall
Eulane Environmental Law Clinic
6329 Freret Street
New Orleans, LA 70118

RE: Freedom of Information Act (FOIA) Request Number: 06-FOI-00146-12

Dear Ms. Hall:

This is a Region 6 response to your Freedom of Information Act request which was numbered 06-FOI-00146-12. Requesting information related to *Taylor Energy Company LLC's Decommissioning Work in Mississippi Canyon Block 20 in the Gulf of Mexico.*

On January 24, 2012 you received information related to your request. Also, enclosed you will find an additional 605 pages of responsive records to your request.

If you consider this response a denial, you may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Ave., (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOI request number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

This is a final response to your request and you may receive a final billing (if appropriate) from the Regional Freedom of Information Office. If you have any questions concerning your request, please contact me at (214) 665-7202.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leticia Lane", is written above the typed name.

Leticia Lane
Regional Freedom of Information Act Officer

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